

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SIERRA CLUB,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:10-cv-01541 (CKK)
)	
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY and)	
ANDREW WHEELER, Acting)	
Administrator, United States Environmental)	
Protection Agency,)	
)	
Defendants.)	
)	

JOINT STATUS REPORT

In their Joint Status Report of May 7, 2018, the parties stated that they would continue to provide status reports to this Court when (or shortly after) status reports are filed in *National Parks Conservation Ass'n v. EPA*, No. 11-cv-1548 (ABJ) (D.D.C.) (“*National Parks*”). The United States Environmental Protection Agency (“EPA”) represents as follows:

On November 8, 2018, EPA filed a status report in *National Parks*, at the direction of the Court in that case. The report informed that Court that EPA had signed a notice of proposed rulemaking relevant to that case. This proposal has been published in the Federal Register: “Promulgation of Air Quality Implementation Plans; State of Texas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan: Proposal of Best Available Retrofit Technology (BART) and Interstate Transport Provisions,” 83 Fed. Reg. 43,586 (Aug. 27, 2018). EPA held a public hearing in Austin, Texas on September 26, 2018 to take comment on the proposed rulemaking. Eight individuals representing environmental groups, industry, and the Texas Commission on Environmental Quality provided testimony. The public comment period

on the proposed rulemaking closed on October 26, 2018. EPA received approximately 1500 comment letters and emails from citizens, environmental groups, industry, and states. EPA is currently reviewing the comments, in preparation to draft responses to the comments.

Plaintiff Sierra Club represents that it reserves all rights as well as prior positions taken in this matter and in *National Parks*.

The cross-motions in *National Parks* continue to be held in abeyance.

Respectfully submitted,

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